

***IN THE DISTRICT COURT OF THE UNITED STATES***

***For the Western District of New York***

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**OCTOBER 2018 GRAND JURY  
(Impaneled 10/24/2018)**

**THE UNITED STATES OF AMERICA**

**-vs-**

**AUSTIN PRATT**

**INDICTMENT**

**Violations:**

Title 18, United States Code,  
Sections 1470, 2422(b), 2251(a),  
2252A(a)(2)(A) & 2252A(a)(5)(B)  
(5 Counts)

**COUNT 1**

**(Sexual Enticement of a Minor)**

**The Grand Jury Charges That:**

From in or about November 2018, the exact date being unknown, until on or about January 12, 2019, in the Western District of New York, and elsewhere, the defendant, AUSTIN PRATT, using facilities and means of interstate and foreign commerce, that is, a cellular telephone and the internet, did knowingly persuade, induce, entice, and coerce Minor Victim, a person known to the Grand Jury, an individual who had not attained the age of 18 years, to engage in sexual activity for which any person could be charged with a criminal offense.

**All in violation of Title 18, United States Code, Section 2422(b).**

## **COUNT 2**

### **(Production of Child Pornography)**

#### **The Grand Jury Further Charges That:**

On or about December 16, 2018, the exact date being unknown, in the Western District of New York, and elsewhere, the defendant, **AUSTIN PRATT**, did employ, use, persuade, induce, entice, and coerce, and attempt to employ, use, persuade, induce, entice, and coerce, a minor, that is, Minor Victim, a person known to the Grand Jury, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct, knowing and having reason to know that such visual depiction would be transported and transmitted using any means and facility of interstate and foreign commerce; knowing and having reason to know that such visual depiction would be transported and transmitted in and affecting interstate and foreign commerce; and which visual depiction was produced and transmitted using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; which visual depiction was actually transported and transmitted using any means and facility of interstate and foreign commerce; and which visual depiction was actually transported and transmitted in and affecting interstate and foreign commerce.

**All in violation of Title 18, United States Code, Sections 2251(a) and 2251(e).**

## **COUNT 3**

### **(Receipt of Child Pornography)**

#### **The Grand Jury Further Charges That:**

On or about December 16, 2018, in the Western District of New York, and elsewhere, the defendant, **AUSTIN PRATT**, did knowingly receive, and attempt to receive, child

pornography, as defined in Title 18, United States Code, Section 2256(8), that is, an image of Minor Victim, a person known to the Grand Jury, that had been shipped and transported using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

**All in violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and 2252A(b)(1).**

#### **COUNT 4**

##### **(Possession of Child Pornography)**

##### **The Grand Jury Further Charges That:**

On or about December 16, 2018, in the Western District of New York, the defendant, **AUSTIN PRATT**, did knowingly possess, and access with intent to view, material, that is, an Instagram account in the name “prattmandune,” that contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8), that had been shipped and transported using any means and facility of interstate and foreign commerce; that had been shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer; and that had been produced using materials that had been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

**All in violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).**

**COUNT 5**

**(Transfer of Obscene Matter to a Minor)**

**The Grand Jury Further Charges That:**

On or about December 16, 2018, in the Western District of New York, and elsewhere, the defendant, **AUSTIN PRATT**, using facilities and means of interstate and foreign commerce, that is, a cellular telephone and the internet, did knowingly transfer, and attempt to transfer, obscene matter to another individual who had not attained the age of 16 years, that is, Minor Victim, a person known to the Grand Jury, knowing that Minor Victim had not attained the age of 16 years.

**All in violation of Title 18, United States Code, Section 1470.**

DATED: Rochester, New York, October 24, 2019.

JAMES P. KENNEDY, JR.  
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A TRUE BILL:

s/Foreperson  
FOREPERSON